
SENATE BILL 5812

State of Washington 58th Legislature 2003 Regular Session

By Senators Horn, Haugen, Swecker, Finkbeiner and Shin

Read first time 02/13/2003. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to driving in the left lane; and amending RCW
2 46.61.100 and 46.61.425.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.61.100 and 1997 c 253 s 1 are each amended to read
5 as follows:

6 (1) Upon all roadways of sufficient width a vehicle shall be driven
7 upon the right half of the roadway, except as follows:

8 (a) When overtaking and passing another vehicle proceeding in the
9 same direction under the rules governing such movement;

10 (b) When an obstruction exists making it necessary to drive to the
11 left of the center of the highway; provided, any person so doing shall
12 yield the right of way to all vehicles traveling in the proper
13 direction upon the unobstructed portion of the highway within such
14 distance as to constitute an immediate hazard;

15 (c) Upon a roadway divided into three marked lanes and providing
16 for two-way movement traffic under the rules applicable thereon; or

17 (d) Upon a street or highway restricted to one-way traffic.

18 (2) Upon all roadways having two or more lanes for traffic moving
19 in the same direction, all vehicles shall be driven in the right-hand

1 lane then available for traffic, except (a) when overtaking and passing
2 another vehicle proceeding in the same direction, (b) when traveling at
3 a speed greater than the traffic flow, (c) when moving left to allow
4 traffic to merge, or (d) when preparing for a left turn at an
5 intersection, exit, or into a private road or driveway when such left
6 turn is legally permitted. On any such roadway, a vehicle or
7 combination over ten thousand pounds shall be driven only in the right-
8 hand lane except under the conditions enumerated in (a) through (d) of
9 this subsection.

10 (3) No vehicle towing a trailer or no vehicle or combination over
11 ten thousand pounds may be driven in the left-hand lane of a limited
12 access roadway having three or more lanes for traffic moving in one
13 direction except when preparing for a left turn at an intersection,
14 exit, or into a private road or driveway when a left turn is legally
15 permitted. This subsection does not apply to a vehicle using a high-
16 occupancy vehicle lane. A high-occupancy vehicle lane is not
17 considered the left-hand lane of a roadway. The department of
18 transportation, in consultation with the Washington state patrol, shall
19 adopt rules specifying (a) those circumstances where it is permissible
20 for other vehicles to use the left lane in case of emergency or to
21 facilitate the orderly flow of traffic, and (b) those segments of
22 limited access roadway to be exempt from this subsection due to the
23 operational characteristics of the roadway.

24 (4) Notwithstanding the posted speed limit, it is a traffic
25 infraction to drive continuously in the left lane of a multilane
26 roadway when it impedes the flow of other traffic. For the purposes of
27 this subsection, a vehicle is impeding traffic when behind it are two
28 or more vehicles formed in a line. This subsection does not authorize
29 a person to exceed the posted speed limit by more than is necessary to
30 safely pass another vehicle and then move to the right when possible.

31 (5) Upon any roadway having four or more lanes for moving traffic
32 and providing for two-way movement of traffic, a vehicle shall not be
33 driven to the left of the center line of the roadway except when
34 authorized by official traffic control devices designating certain
35 lanes to the left side of the center of the roadway for use by traffic
36 not otherwise permitted to use such lanes, or except as permitted under
37 subsection (1)(b) of this section. However, this subsection shall not

1 be construed as prohibiting the crossing of the center line in making
2 a left turn into or from an alley, private road or driveway.

3 **Sec. 2.** RCW 46.61.425 and 1977 ex.s. c 151 s 37 are each amended
4 to read as follows:

5 (1) No person shall drive a motor vehicle at such a slow speed as
6 to impede the normal and reasonable movement of traffic except when
7 reduced speed is necessary for safe operation or in compliance with
8 law(~~(:—PROVIDED,—That)~~). However, a person following a vehicle
9 driving at less than the legal maximum speed and desiring to pass such
10 vehicle may exceed the speed limit, subject to the provisions of RCW
11 46.61.120 on highways having only one lane of traffic in each
12 direction, at only such a speed and for only such a distance as is
13 necessary to complete the pass with a reasonable margin of safety.
14 Additionally, a person driving a motor vehicle in the left lane of a
15 multilane roadway in compliance with RCW 46.61.100(4) is not committing
16 a traffic infraction.

17 (2) Whenever the secretary of transportation or local authorities
18 within their respective jurisdictions determine on the basis of an
19 engineering and traffic investigation that slow speeds on any part of
20 a highway unreasonably impede the normal movement of traffic, the
21 secretary or such local authority may determine and declare a minimum
22 speed limit thereat which shall be effective when appropriate signs
23 giving notice thereof are erected. No person shall drive a vehicle
24 slower than such minimum speed limit except when necessary for safe
25 operation or in compliance with law.

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